

UNITED STATES COURT OF INTERNATIONAL TRADE

BEFORE: SENIOR JUDGE NICHOLAS TSOUCALAS

_____	:	
PEER BEARING COMPANY,	:	
	:	
Plaintiff,	:	
	:	
and	:	
	:	
L&S BEARING COMPANY,	:	Court No. 97-12-02123
	:	
Plaintiff-Intervenor,	:	
	:	
v.	:	
	:	
UNITED STATES,	:	
	:	
Defendant,	:	
	:	
and	:	
	:	
THE TIMKEN COMPANY,	:	
	:	
Defendant-Intervenor.	:	
_____	:	

JUDGMENT

On July 21, 1999, this Court remanded to the United States Department of Commerce, International Trade Administration ("Commerce") for correction of a clerical error arising from the final results of the administrative review, entitled Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China; Final Results of Antidumping Administrative Review, 62 Fed. Reg. 61,276 (Nov. 17, 1997). See Peer Bearing Co. v. United States, 23 CIT ___, ___, 57 F. Supp. 2d 1200, 1206 (1999). The Court ordered Commerce to correct the

inadvertent reversal of the skilled and unskilled labor rates in its calculation of factors of production and to adjust the dumping margins accordingly. See id. at 1203.

On September 17, 1999, Commerce released draft remand results in this action. The Timken Company ("Timken") submitted a comment on the draft remand results. In its comment, Timken argued that recalculation of the dumping margin was unnecessary.

On October 19, 1999, pursuant to the Court's remand order, Commerce filed its Final Results of Redetermination Pursuant to Court Remand, Peer Bearing Co. v. United States, Court No. 97-12-02123 ("Remand Results") (July 21, 1999). In the Remand Results, Commerce corrected the clerical error reversing the labor rates and recalculated the margin for the Peer Bearing Company ("Peer"). Remand Results at 1, 4.

In its comments on the Remand Results, Timken argues (1) that recalculation of the dumping margin was unnecessary, and (2) that Commerce erroneously assigned the corrected rate to Peer, the importer, instead of Chin Jun Industrial Ltd. ("Chin Jun"), the reseller. Accordingly, Timken contends that Commerce's Remand Results should not be affirmed.

The Court finds that contrary to Timken's arguments, recalculation of the dumping margin became necessary when Commerce

corrected the skilled and unskilled labor rates. Furthermore, the Court finds that it is unnecessary to remand the case to apply the corrected rate to Chin Jun. It is obvious that Commerce had properly calculated and applied the rate to Chin Jun and had inadvertently switched the names of the companies in the Remand Results.

Since Commerce has complied with this Court's remand order, it is hereby

ORDERED that the Remand Results are affirmed in their entirety, and all other issues having been previously decided, it is further

ORDERED that this case is dismissed.

NICHOLAS TSOUCALAS
SENIOR JUDGE

Dated: February 22, 2000
New York, New York